

COVINGTON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE

Subject: COMPUTER VOICE STRESS ANALYZER

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I. Purpose

To establish guidelines for the use of the Computer Voice Stress Analyzer (CVSA).

II. Statement of Policy

It shall be the policy of the Covington Police Department to administer Computer Voice Stress Analyzer examinations in conjunction with pre-employment screening and investigations conducted by the police department.

III. Discussion

CVSA examinations, by qualified examiners are gaining national acceptance as an information aid and as a tool to be used in conjunction with an investigation. However, the policy of this department shall be that they shall never be used as a single determinant factor in pre-employment screenings or investigations. CVSA examinations will not be used to circumvent established investigative procedures. The CVSA is used for truth verification. Therefore, the CVSA should be viewed as a means to protect the integrity of an investigation and/or the interviewee.

IV. Definitions

- A. Computer Voice Stress Analyzer (CVSA) - CVSA detects, measures and charts the stress in a person's voice following a pre-formatted questionnaire.
- B. Overt Interview - A live interview by a CVSA examiner with a suspect, victim, witness, complainant, or prospective employee. These interviews are conducted with prior knowledge and permission that certain questions will be recorded live and captured by the CVSA for analysis. At the examiner's discretion, all or portions of the interview may be recorded on audio and/or video tape.
- C. Qualified Examiner - A person who has satisfactorily completed training by a recognized instructor in truth verification and in the use of the CVSA. In addition, re-certification must be successfully completed every three years.
- D. Structured Interviews - A legally obtained audio tape interview of a suspect, victim, witness, or complainant. The interviews are designed to capture a

response to preformatted questions. This taped interview is then analyzed by the CVSA examiner.

V. Procedures

A. Use of CVSA examination for pre-employment screening

CVSA examinations will be used in the selection process for employment. The CVSA examiner will review the questions with the applicant, prior to the formal examination.

B. Use of CVSA examination for investigative screening

CVSA examinations should be utilized in conjunction with investigative leads and interviews of available suspect(s), victim(s), and/or witness(es). When practical, both the victim and the accused should be tested for comparison. These results are not to be used for arrest or legal action, but are designed for developing leads and/or obtaining case direction.

C. Persons who may be tested

1. Any individual who knows right from wrong. Generally, children who recognize right from wrong may be tested.
2. Tests are conducted at the discretion of the examiner.

D. Persons who may not be tested

1. Children under the age of seventeen (17) must have parental or legal guardian consent prior to testing. The consent must be in writing and in the possession of the CVSA examiner prior to the beginning of the examination
2. Any person who has been forced or coerced into taking the examination.
3. Any person who has been indicted by the Grand Jury or formally charged for the crime the CVSA is being requested for, unless there is an agreement and stipulation signed by the person to be examined, his or her defense attorney, and the prosecutor.

E. Responsibilities of the CVSA Examiner

1. The CVSA Examiner will review the available information pertaining to the case in question prior to administering an examination.
2. Any structured interview using the CVSA must be authorized by the CID Commander.
3. The CID Commander or his designee must approve an examination request from another organization prior to conducting the CVSA examination.
4. All CVSA examiners will maintain a record of all examinations they have conducted.

5. The CVSA examiner will receive a second opinion on examinations he conducts from another certified examiner.
6. The CVSA examiner will refrain from examinations that may compromise his integrity. Any tests of friends, relatives or persons the examiner has a relationship with which represent a conflict of interest must be conducted by a neutral examiner.
7. In the event the examiner declines to administer an examination and the decision is questioned, a second opinion from a CVSA examiner is recommended.

F. Responsibilities of Officer/Investigator requesting a CVSA examination

1. The investigator will complete a preliminary investigation and consult with the examiner prior to a CVSA being scheduled. The CVSA is a supplement to, not a substitute for, a thorough investigation.
2. The investigator is responsible for notifying the subject of the date and time for the scheduled appointment.
3. The investigator will remain available in the Criminal Investigations Division until the completion of an examination.
4. The investigator will notify the CVSA examiner immediately if the subject cancels an examination appointment.

G. CVSA Records

1. CVSA records may include a waiver of rights, voluntary submission forms, a subject information sheet, CVSA graph, and/or statement of results.
2. CVSA records will be maintained for at least a two-year period and/or until any litigation is concluded in the case or issue.
3. The CID Commander or his designee is responsible for the storage of the CVSA records. Said records will be maintained in a secure area.

H. Internal Affairs

1. CVSA examinations will be administered during criminal or administrative investigations focusing on a sworn officer or civilian member only if the member freely volunteers to participate in the examination. This ensures the member's constitutional rights and permits any statements or admissions made during the examination to be admitted as evidence.
2. Civilian complaints or witnesses may be tested with the CVSA in order to determine if their complaint, allegation or knowledge of a case is legitimate. These interviews must only be conducted after a voluntary test waiver has been signed.

In the case of a structured interview (audio tape analysis), the examiner will receive authority from the Internal Affairs Officer.

3. A CVSA examiner will not administer a test on a police officer without written consent.
 4. A CVSA examination will not be the sole determinant of an investigation conclusion.
- I. CVSA examinations will be administered to police, civilian and volunteer applicants as well as persons having access to restricted areas of the Police Department. This is to ensure the following:
1. Suitability
 2. Verify accuracy and completeness of information on the application.
 3. Resolve questions or conflicts arising during background investigations.
 4. Discover previous criminal or other disqualifying behavior.
 5. Deter those seeking to penetrate law enforcement departments for improper purposes.
- J. Questions to be asked will be provided to an applicant just prior to and at the location of the test so applicants can have sufficient time to review and ask the examiner questions.
- K. The CVSA will not be the single determinant of employment status. However, admissions made before, during or after the examination may be used to show cause.

This SOP supersedes any SOP previously issued.

BY ORDER OF THE CHIEF OF POLICE:

Stacey L. Cotton

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Chief of Police